

AGENDA ITEM NO: 8/1(d)

Parish:	Castle Acre	
Proposal:	Outline application: detached two bedroom bungalow and pair of detached garages serving both proposed dwelling and existing dwelling	
Location:	75 Foxes Meadow Castle Acre King's Lynn Norfolk	
Applicant:	Ms Maureen Carlton	
Case No:	15/01054/O (Outline Application)	
Case Officer:	Mr C Fry Tel: 01553 616232	Date for Determination: 16 September 2015

Reason for Referral to Planning Committee – Contrary to the views Castle Acre Parish Council

Case Summary

The site and application comprises of a parcel of garden to the south of 75 Foxes Meadow, Castle Acre on the corner of Back Lane and Foxes Meadow.

The garden land is elevated above Back Lane, screened behind hedging.

The site is accessed via Foxes Meadow.

Two storey ex-authority dwellings characterises this part of Foxes Meadow.

The application seeks outline approval with all matters reserved.

Key Issues

Principle of Development
Impact upon Visual Amenity
Impact upon Neighbour Amenity
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site lies within Built Environment Type D of Castle Acre and within a Key Rural Service Centre.

The site comprises of a roughly triangular parcel of land belonging to 75 Foxes Meadow, Castle Acre.

The triangular shaped land measures 581.94 sqm and slopes up from Back Lane, Castle Acre by approximately 0.5m at the highest point of the site. The site also contains the garage to the donor property. The site has 1.6m high hedging along the roadside boundaries and 1.4m high panel fencing along the eastern boundary.

The neighbour to the east, on Back Lane, is a detached bungalow that has converted their garage which is used for business purposes. The donor property, directly to the north, is a 2 storey semi-detached ex-local authority dwelling. The properties opposite are single and two storey infill development properties constructed from flint, brick and render.

The neighbour on the opposite corner is also a two storey ex-local authority dwelling.

The proposal seeks outline consent for all matters reserved for a detached bungalow and replacement garaging for the new property and donor.

SUPPORTING CASE

A brief statement has accompanied the application stating that:-

- The proposal will not have a significant effect on the provision of natural daylight to neighbouring properties. It is considered that the impact upon light at adjacent and nearby properties will therefore be reasonable and that good natural daylight will remain.
- The existing dwelling is served by a single garage and a driveway that provides 2no. parking spaces. This existing garage is to be demolished 2no.garages (attached) are proposed that 1) reinstates the one lost and 2) serves the proposed dwelling. A driveway, of equal length to that which exists, will be provided for both existing and proposed dwellings, providing additional 2no.parking spaces.
- The proposal does not fall within a flood zone.
- Foul water will connect to drains and surface water by way of soakaway.
- No trees existing on the site.

PLANNING HISTORY

There is no recent relevant planning history

RESPONSE TO CONSULTATION

Parish Council: OBJECTION This proposed dwelling would have an adverse effect on this part of Castle Acre. The proposal is a cramped infill, creating an unacceptable intrusion and directly opposite the Conservation Area. The existing privet hedge may be removed and is known for nesting starlings. It is a small area of land for a bungalow and the site is an unnatural shape. It is another infill along Back Lane/Foxes Meadow.

Highways Authority: NO OBJECTION subject to conditions

REPRESENTATIONS

None received

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

4/21 - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

8/1 - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM2 – Development Boundaries

PLANNING CONSIDERATIONS

The main planning considerations in regards to the application are:-

- Principle of Development
- Impact upon Visual Amenity

- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Considerations

Principle of Development

The site lies within an area defined as Built Environment Type D according to Local Plan Proposals Maps for Castle Acre and within an area defined as a Key Rural Service Centre. Within this defined area the principle of new residential development is generally considered to be acceptable under saved Policy 4/21 of the Local Plan, provided that the proposal has regard for, and is in harmony with, the building characteristics of the area and it complies with all other relevant policies.

Furthermore, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development. This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In this case the application site lies within the settlement of Castle Acre which is a sustainable location. As a result there is a presumption in favour of development in this area.

This application seeks consent for outline only with all matters reserved.

Impact upon Visual Amenity

The Parish Council have raised concerns that the dwelling would be contrary to the character of development in the locality and the plot size being an "un-natural shape" and small in size.

The site is on the corner of Foxes Meadow and Back Lane in an elevated position and is the side garden to 75 Foxes Meadow. The site has perimeter hedging at the top of the embankment. The eastern boundary treatment consists of 1.4m high fencing. There is no northern boundary to the site.

The property adjacent to the site (east) is a detached bungalow which has had its garage converted into a business use. The properties to the north are mainly two storey ex-authority semi-detached dwellings. The neighbours opposite are infill properties that are constructed from flint and red brick with hints of render. The ex-local authority dwellings are constructed from red brick and pantiles.

An indicative site plan shows a 2 bedroom bungalow on the plot with rear, side and front garden. Access will be shared with the donor property by widening the existing access.

The property is contained within the street scene of Back Lane. The built form on Back Lane, at this point, has a sense of enclosure.

Subject to the property's appearance and scale (determined by way of a reserved matters application), the setting back of the property from the street scene on a similar building line to the adjacent bungalow is visually acceptable.

Impact upon Neighbour Amenity

The neighbour to the east of the site is on lower land than the application site and has no windows contained in its side elevation. This element of the neighbouring bungalow is run as a business as such this neighbour is not considered to be detrimentally affected.

The neighbours to the south are on the opposite side of Back Lane some 10m away from the site.

The neighbour to the north is the donor property

The neighbours to the west are on the opposite side of Foxes Meadow some 29m away from the site.

It is therefore considered that there are no principle neighbour amenity issues.

Highway Safety

The existing access is single car width. This will be widened to 6m to serve the donor property and proposed property. The altered access will be 26m from the junction of Back Lane and Foxes Meadow.

The highways officer has no objection in principle to access arrangements. By virtue of the outline application being "all matters reserved" application, the highways officer would require, notwithstanding the details shown on the site plan, a plan to be submitted identifying the visibility splays, access arrangements and parking provision as part of a condition discharge application. These details are reserved matters and a separate condition on outline consent is not necessary.

Other Material Considerations

The Parish Council are concerned about nesting birds being disturbed from the partial removal of the hedge that fronts Foxes Meadow. Given the limited amount of hedgerow removal it is not considered necessary to impose time constraints on its removal. Additionally nesting birds are covered under the wildlife Countryside act.

CONCLUSION

Members will need to consider whether developing the side garden to 75 Foxes Meadow is acceptable in principle.

It is your officer's opinion that the proposal is acceptable in principle. The siting of a dwelling on the site would not detrimentally affect the street scene, subject to it being single storey and the amenity space associated with the property would not advocate a cramped form of development. There is no detrimental impact upon neighbour amenity.

Subject to the following conditions it is considered that the proposal complies with the National Planning Policy Framework and National Planning Practice Guidance and the relevant policies. The outline proposal is considered to be acceptable without causing any principle detrimental impact upon Visual and Neighbour Amenity.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The dwelling hereby permitted shall be single storey in scale only.
- 5 Reason In the interests of visual amenity.